

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/585,615	<b>Applicant(s)</b> BHALAY ET AL.	
	<b>Examiner</b> Matthew P. Coughlin	<b>Art Unit</b> 1626	

  

**All Participants:**

(1) Matthew P. Coughlin.

(2) John Alexander.

**Date of Interview:** 3 March 2010

**Type of Interview:**  
☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant    ☐ Applicant's representative)  
Exhibit Shown or Demonstrated: ☐ Yes    ☒ No  
If Yes, provide a brief description: .

**Status of Application:** allowed

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Time:** 11:05 am

**Part I.**

Rejection(s) discussed:  
*Prior art rejection of claim 11.*

Claims discussed:  
*1-4, 7-11*

Prior art documents discussed:  
*N/A*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:  
*See Continuation Sheet*

**Part III.**

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted Applicant's representative on March 2nd, 2010 to discuss an examiner's amendment to place the case in condition for allowance. The examiner suggested that claims 8, 9 and 11 be cancelled. The examiner indicated that claim 11 is drawn to intermediates and this is the only claim for which prior art had been found. The examiner further suggested that non-elected subject matter be cancelled from claims 1-7 and 11 by deleting the limitation that Y can be cyclic and simplifying the provisions in claims 1-3 when defining the definition "n" since the broader definition of "n" would never apply upon cancellation of the additional definition of Y and therefore the definition of "n" could be simply stated as the narrow range at the end of the provisions. The examiner further pointed out that the first species in claim 4 would need to be cancelled since it is non-elected. The examiner further suggested that the claims be amended to replace "in free or salt form" with "in free or pharmaceutically acceptable salt form" wherever it appears. The examiner also suggested that claim 10 be amended such that the preamble would read "A process for the preparation of a compound of formula I in free or pharmaceutically acceptable salt form as defined in claim 1 [...]". The examiner further indicated that a period would need to be added to claim 4 and claim 7 should be amended to insert the word "an" between "as" and "active" in the first line of the claim. Applicant's representative indicated that he would need to consult with a foreign counterpart before approving the changes discussed. On March 3rd, 2010, Applicant's representative called the examiner to indicate that the changes were acceptable and permission was given to make the changes by examiner's amendment. After that telephone conversation ended, the examiner called Applicant's representative to discuss one additional error that had been discovered. The examiner indicated that claim 4 referred to "formula I" but did not depict such a formula. The examiner suggested that the claim be converted to dependent form. Applicant's representative agreed and gave permission to convert claim 4 to dependent form by replacing "of formula I" with "according to claim 1".